

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69343 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- EKCHARI District- Bhagalpur

Bhola Mandal S/O Late Chandar Mandal R/O Village- Khabaspur, P.S-
Ekchari And Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 10 litres of country made liquor from a motorcycle. Petitioner, who was riding the motorcycle, was apprehended on spot.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern with the recovered illicit liquor. There is no independent witness of the alleges seizure. Petitioner is languishing in judicial custody since 23.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing for the State opposed the prayer of bail and submitted that petitioner was apprehended on spot.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge I, Bhagalpur in connection with Ekchari P.S. Case No. 49 of 2023.



The petitioner is directed to deposit a sum of Rs. 10,000/-(Rupees Ten Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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